

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of: Ling Zheng)	Group Art Unit: 2614
Application No.: 10/596,889)	Examiner: JAMAL, Alexander
Filed: June 28, 2006)	Confirmation No.: 1905
Atty. File No.: 5550-51)	

For: COMMUNICATION CHANNEL CAPACITY ESTIMATION

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant submits this Comments on Statement of Reasons for Allowance to address further the Notice of Allowability ("Notice") having a mailing date of December 16, 2009.

In the Notice, the Examiner's stated reasons for allowance were that:

In the Examiner's opinion, it would not have been obvious to a person of ordinary skill in the art to perform the specific error minimization optimization as claimed in combination with the TDR comparison in the TDR rate determining system of the prior art.

Based on the Notice, the patentability of all other independent and dependent claims is assumed to be based upon the elements as set forth in such claims and that such claims meet all criteria for patentability under §101, §102, §103 and §112.

As is clear from MPEP 1302.14,

"The statement [of reasons for allowance] is not intended to necessarily state all the reasons for allowance or all the details why claims are allowed and should not be written to specifically or impliedly state that all the reasons for allowance are set forth."

While the stated Reasons for Allowance may be a stated reason for allowing some independent claims, Applicant submits that some independent claims have a different reason for allowance and that some independent claims have other reasons for allowance.

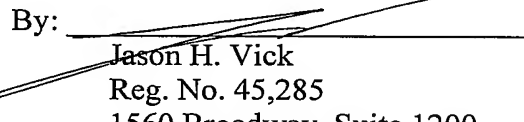
Specifically, the prior art fails to teach the specific combination of features as recited in the independent claim 1, 7, 13 and 15.

Although the Applicant believes that no fees are due for filing this Comments on Statement of Reasons for Allowance, please charge any fees deemed necessary to Deposit Account No. 19-1970.

Respectfully submitted,

SHERIDAN ROSS P.C.

Date: 22 Dec 09

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